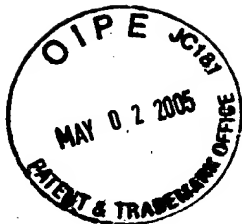


1F 3737

AMENDMENT TRANSMITTAL LETTER

Attorney Docket No. ZKTZ 2 00014



Serial No.: 09/978,599	Filing Date: October 16, 2001	Examiner: W. JUNG
Group Art Unit: 3737 Confirmation: 5128	Invention: DIGITAL MINIMALLY INVASIVE SURGERY SYSTEM	

To the Commissioner For Patents:

Transmitted herewith is an **AMENDMENT D** in the above-identified application.
The fee has been calculated as shown below.

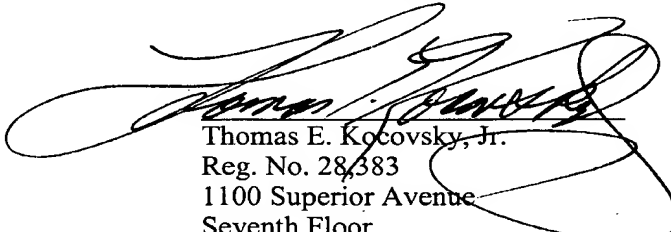
CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	39	Minus	39	-	\$ 25	\$ 0.00
Indep. Claims	12	Minus	12	-	\$100	\$ 0.00

- ☒ No additional claims fee is required.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308.
A duplicate copy of this sheet is enclosed.
- ☒ Applicants hereby request any additional extensions of time that may be necessary and
authorize the extension of time fee to be charged to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

Date: 28 Apr 2005


Thomas E. Kocovsky, Jr.
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(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that these **AMENDMENT TRANSMITTAL LETTER (x2) and AMENDMENT D** in connection with U.S. Patent Application Serial No. 09/978,599 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28 day of April, 2005.

By: Hilary McNulty



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Examiner: W. JUNG
R. ABOVITZ, et al.)	
)	Art Unit: 3737
Serial No.: 09/978,599)	
)	Confirmation: 5128
Filed: October 16, 2001)	
)	
For: DIGITAL MINIMALLY)	
INVASIVE SURGERY)	
SYSTEM)	
)	
Date of Last Office Action:)	
January 31, 2005)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
ZKTZ 2 00014 US)	April 28, 2005

AMENDMENT D

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action of January 31, 2005.

Amendments to the claims are reflected in the listing of claims which begins on page 2.

Remarks begin on page 14.

Certificate of Mailing

I certify that this **Amendment D** in connection with Ser. No. 09/978,599 is being
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
☐ transmitted to facsimile number (703) 872-9306 under 37 C.F.R. § 1.8 on the date indicated below.

Date
April 28, 2005

Signature
<i>Hilary M McNulty</i>
Printed Name
Hilary M. McNULTY